

**ANDOVER CONSERVATION COMMISSION MEETING MINUTES
JULY 16, 2013**

Town of Andover
36 Bartlet Street
3rd Floor Conference Room
7:45pm

Conservation Members in Attendance:

Chairman Donald Cooper, Vice Chairman Michael Walsh, Commissioner Jon Honea, Commissioner Phil Sutherland, Commissioner Alix Driscoll, and Commissioner Kevin Porter. Staff members present were Robert Douglas, Director of Conservation and Linda Cleary, Conservation Agent.

SCHEDULED ITEMS:

11 Azalea Drive

Present in Interest: Martha Russell

Staff Recommendation: Approve as Neg.3 with conditions and Neg. 6.

Public Meeting on the Request for Determination of Applicability filed by Martha Russell to determine if the proposed construction of a 14' x 24' deck at 11 Azalea Drive is subject to the Massachusetts Wetlands Protection Act.

Agent Cleary presented this to the Commission. This filing is under the WPA only for the construction of a deck. The work is greater than 50 feet from the BVW to Foster's Pond. The deck will be built on sona tubes on existing lawn. The Applicant has drawn the location of the deck on an office copy of the RDA and specifications are noted in Finding #4 of the Special Conditions.

Chairman Cooper asked for a Motion. Commissioner Honea made a Motion to Approve as Neg.3 and Neg.6, it was seconded by Commissioner Driscoll and unanimously approved.

26 Brundrett Avenue

Present in Interest: Esin Seret Dibirdi and Steve Ericksen

Staff Recommendation: Continue.

Continued Public Meeting on the Request for Determination of Applicability filed by Alp Dibirdi to determine if the proposed installation of an above ground pool at 26 Brundrett Avenue is subject to the Massachusetts Wetlands Protection Act.

Mr. Douglas presented this to the Commission. This is an above ground pool project that is considered a temporary structure and the only earth moving will be to square off a sloping hill to place the pool. Commissioner Honea inquired about the wetland location. Norse Environmental did a site visit and the wetlands are closer than originally thought. There are wetland species between the drop off and the wetland. Steve Ericksen informed the Commission that there is a sand fill underneath the area where the pool will be placed and with the use of erosion control there should be no impact on the resource areas. Commissioner Porter recommended permanent markers be placed along the wetland boundary. Commissioner Honea recommended that there be no drainage of the pool water into the wetlands. Staff agreed to include both of these in the Determination of Applicability.

Chairman Cooper asked for a Motion. Commissioner Honea made a Motion to Approve with the additional agreed upon requirements, it was seconded by Commissioner Driscoll and unanimously approved.

6 Robinswood Way

Present in Interest: Steve Eriksen, Misti and Stephen O'Connell

Staff Recommendation: Continue.

Public Hearing on a Notice of Intent filed by Stephen and Misti O'Connell under the Massachusetts Wetlands Protection Act and/or the Andover Wetlands Protection By-Law for the proposed construction of a sport court, 2 stone trenches and grading at 6 Robinswood Way.

Mr. Douglas presented this to the Commission. The filing is under the WPA only. The project does overlap 3 resource areas which are wetland buffer, riverfront resource area and the property is located in the Watershed Protection Overlay District. The alternatives analysis does not meet the state standards. The Applicant also needs to provide full riverfront calculations for this project. DEP has this project under review. There remains the question if this project is redevelopment. . Staff observed the existing disturbed area to be pervious as it accepts water. A sports court does not fall under exemptions as the property is located within the Riverfront. Staff did not find that the existing sport court was permitted by Conservation, but has evolved in the past 10 years.

Steve Ericksen presented the project to the Commission. He agreed that the entire lot is within the Riverfront. The court is on existing lawn area and the project will include minimal grading placed in between both wetlands. Two trenches will be dug for infiltration filled with crushed stone and lined with filter fabric. There is no other place for the sport court as moving it towards the house would encompass the entire back yard. There will be a small amount of grading on site.

Vice Chairman Walsh asked if the new sport court would be impervious court.

Commissioner Porter stated the redevelopment is supposed to improve the existing conditions and this is not an improvement. Steve Ericksen advised that the trench infiltration is the improvement.

Chairman Cooper advised that if the existing area is pervious, that will change the calculations. He advised that the Applicant needs to provide full riverfront calculations, an alternatives analysis that

meets state standards, monumentation and sedimentation control to be labeled on the plan. This information should be received by Conservation Staff by July 23, 2013.

Chairman Cooper asked for a Motion. Commissioner Honea made a Motion to continue to August 6, 2013 at 8:15pm, it was seconded by Commissioner Driscoll and unanimously approved.

CONSENT AGENDA:

103 Chestnut Street

Issuance of a Certificate of Compliance.

44 Holt Road

Issuance of a Satisfactory Completion of Work Certificate.

17 Regency Ridge

Issuance of a Certificate of Compliance.

5 Pauline Drive

Issuance of a Certificate of Compliance.

7 Gregory Circle

Issuance of a Certificate of Compliance.

3 Gregory Circle

Issuance of a Certificate of Compliance.

Tabled due to being unable to locate markers.

Minutes

Approval of Minutes from July 2, 2013 Meeting.

Commissioner Driscoll made a Motion to Approve the Consent Agenda, excluding 3 Gregory Circle; it was seconded by Vice Chairman Walsh and unanimously approved.

LATE/DISCUSSION ITEMS THAT MAY REQUIRE A VOTE:

Eagle Scout Project

Present in Interest: Andrew Wang, Dave Doub, Bob DeCelle, and John Wang

Andrew Wang presented his Eagle Project, which included handouts to the Commission. The project consists of a 36' x 4' bridge roughly 2 to 3 feet high over a muddy, marshy area at the Harold Rafton

Reservation. He is working with Dave Doub from AVIS on the plans for the structure. Disturbance will be kept to a minimum in that holes for the pole placement will be only one foot deep. Pressure treated wood will be used so all cutting will be done either on a tarp or off site and carried in. Staff approves of the project.

Vice Chairman Walsh made a Motion to Approve the project; it was seconded by Commissioner Driscoll and unanimously approved.

The next meeting will be held August 6, 2013 at 7:45pm.

The meeting was adjourned at 8:40pm by Motion of Commissioner Honea and seconded by Commissioner Driscoll and unanimously approved.

Respectfully submitted by,

**Lynn Viselli,
Recording Secretary**